

# Wetlands Bureau Decision Report

Decisions Taken  
06/21/2010 to 06/27/2010

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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### **2009-01516                      ODESS, DAVID & PERRY ROBERTSON OSSIPEE   Bearcamp River**

#### Requested Action:

Impact a total of 1,961 square feet (total of 220 linear feet) of bank of the Bearcamp River to install two sections of rip rap bank stabilization to a section of existing, previously-permitted rip rap, including 1,217 square feet (155 linear feet) on the Odess/Robertson property, and 744 square feet (65 linear feet) on the Boutin property.

Request to waive Rule Env-Wt 301.01(g)(2), requiring Certified Wetland Scientist Stamp on plans for minor and major projects.

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Inspection Date: 04/05/2010 by Dori A Wiggin

#### APPROVE PERMIT:

Impact a total of 1,961 square feet (total of 220 linear feet) of bank of the Bearcamp River to install two sections of rip rap bank stabilization to a section of existing, previously-permitted rip rap, including 1,217 square feet (155 linear feet) on the Odess/Robertson property, and 744 square feet (65 linear feet) on the Boutin property.

Waive Env-Wt 301.01(g) requiring plans for minor and major category projects to be stamped by a Certified Wetland Scientist.

#### With Conditions:

1. All work shall be in accordance with revised plans by White Mountain Survey dated 5/12/2010, as received by DES on 5/14/2010.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Prior to commencing work on a substructure located within surface waters, a cofferdam or turbidity curtain shall be constructed to isolate the substructure work area from the surface waters.
5. Temporary cofferdams or turbidity curtain shall be entirely removed immediately following construction.
6. Cofferdams or turbidity curtains shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Work shall be done during low flow.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or matting and pinning on slopes steeper than 3:1.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands.

#### With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), projects that disturb more than 200 linear feet of the bank of a perennial stream.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. River bank erosion is progressing to a point at which the property and its structures are being threatened.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. DES previously permitted rip rap to stabilize a portion of this frontage in 1991. The current proposal was examined in the field by DES fluvial geomorphologist, DES wetlands staff, and two representatives of NH Fish and Game during a field inspection on 4/5/2010. As a result, it was determined that, due to confined space, bank elevations and river energy at this location, straight rip rap, rather than a combination of rip rap and bio-stabilization techniques, was the only feasible solution to protect the properties and structures.
4. Pursuant to Env-Wt 302.03(c)(2)c., this project does not require compensatory mitigation, as it involves rip rap bank stabilization to protect existing infrastructure.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Inventory as occurring in the project vicinity.
6. DES Staff conducted a field inspection of the proposed project in coordination with NH Fish and Game Department on 4/5/2010.
7. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
8. The Ossipee Conservation Commission did not report.
9. Waive Env-Wt 301.01(g)(1), requirement for wetlands delineation to be stamped by a certified wetland scientist, based on the following, pursuant to Env-Wt 204 Waivers:
  - a. Granting the waiver will not result in adverse impact as described in Env-Wt 204.04(a)(1);
  - b. The project affects a clearly evident perennial stream bank and bed, without evidence of wetlands soils or vegetation above the top of bank, eliminating the need for further delineation, and thus meets the criteria of Env-Wt 204.04(a)(2)a.
10. Pursuant to the requirements of Env-Wt 204.04(a)(2), DES finds that condition Env-Wt 204.04(a)(2)b., necessary to granting the Waiver, has been met.
11. Based on findings 9-10 above, DES grants the applicant a Waiver to rule Env-Wt 301.01(g)(1).

**2009-02838                      PSNH, DAVID PLANTE**  
**BARRINGTON   Unnamed Wetland**

**Requested Action:**

Amend permit to add a total of 13,860 sq. ft. of additional temporary wetlands impact to access power line upgrade areas with timber mats where upland access has proven to be too dangerous or area found to be otherwise inaccessible.

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**APPROVE AMENDMENT:**

Impact an amended total of 84,976 sq. ft. of wetlands (870 sq. ft. permanent impact for utility pole installation, and 84,106 sq. ft. (amended) of temporary impact for access mats and landings) for upgrade of a 13- mile segment of the Deerfield to Madbury transmission line, known as the L-175 Line Rebuild, including the following: Deerfield: 10 sq. ft. of permanent impact, and 477 sq. ft. of temporary access impact; Nottingham: 300 sq. ft. of permanent impact and 41,610 sq. ft. (amended) of temporary access impact; Barrington: 16,374 sq. ft. (amended) of temporary access impact, and 100 sq. ft. of permanent impact; Lee: 110 sq. ft. of permanent impact and 9,894 sq. ft. (amended) of temporary impact; Durham: 4,177 sq. ft. (amended) of temporary impact only; Madbury: 350 sq. ft. of permanent impact and 11,574 sq. ft. (amended) of temporary impact.

**With Conditions:**

1. All work shall be in accordance with plans by Northeast Utilities dated 10/30/2009, as received by DES on 11/20/2009, as amended per revised plans dated 5/14/2010, as received by DES on 5/14/2010, and according to supporting materials by Normandeau Associates dated October 2009, as received by DES on 11/20/2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. Pellet surveys for the presence of the New England cottontail shall be conducted and submitted to DES during construction oversight during the winter months as requested by NH Fish and Game Department.
4. Work may occur in the vicinity of a known osprey nest site prior to April 1st; work after April 1 is dependent upon the presence of osprey in the nest. If osprey have returned to the nest, the permittee shall notify and coordinate with NH Fish and Game Department to that agency's satisfaction prior to conducting work, and the permittee shall document to DES in writing that they have done so.
5. The permittee shall notify and coordinate with NH Fish and Game Department to that agency's satisfaction of any nesting Blanding's or Wood Turtles in the construction are during the month of June, and shall avoid moving or disturbing the turtles, and the permittee shall document to DES in writing that they have done so.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Work shall be done during frozen conditions or low flow.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands.
14. Prior to the installation; swamp mats shall be inspected for and removed of all vegetative matter.
15. Equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils. Swamp mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.
16. Prior to installation, new wood-pole structures; and upon removal, old wood-pole structures and appurtenances shall be placed outside of the jurisdiction of the DES Wetlands Bureau, but may remain in the ROW as potential cover for snakes, per the request of NH Fish and Game Department.
17. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. Additional temporary wetlands impacts are necessary to access power line upgrade areas with timber mats where upland access has proven to be too dangerous or area found to be otherwise inaccessible.
2. This amendment request does not constitute a significant amendment to an existing permit as described in RSA 482-A, XIV(e).
3. All the Conservation Commissions of the towns included in this permit were notified in writing of the request to amend the permit, and none reported comments to DES.

**2009-02839 PSNH, DAVID PLANTE**  
**DEERFIELD Unnamed Wetland**

Requested Action:

Amend permit to add a total of 13,860 sq. ft. of additional temporary wetlands impact to access power line upgrade areas with timber mats where upland access has proven to be too dangerous or area found to be otherwise inaccessible.

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APPROVE AMENDMENT:

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ft. of temporary access impact; Nottingham: 300 sq. ft. of permanent impact and 41,610 sq. ft. (amended) of temporary access impact; Barrington: 16,374 sq. ft. (amended) of temporary access impact, and 100 sq. ft. of permanent impact; Lee: 110 sq. ft. of permanent impact and 9,894 sq. ft. (amended) of temporary impact; Durham: 4,177 sq. ft. (amended) of temporary impact only; Madbury: 350 sq. ft. of permanent impact and 11,574 sq. ft. (amended) of temporary impact.

With Conditions:

1. All work shall be in accordance with plans by Northeast Utilities dated 10/30/2009, as received by DES on 11/20/2009, as amended per revised plans dated 5/14/2010, as received by DES on 5/14/2010, and according to supporting materials by Normandeau Associates dated October 2009, as received by DES on 11/20/2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Pellet surveys for the presence of the New England cottontail shall be conducted and submitted to DES during construction oversight during the winter months as requested by NH Fish and Game Department.
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5. The permittee shall notify and coordinate with NH Fish and Game Department to that agency's satisfaction of any nesting Blanding's or Wood Turtles in the construction area during the month of June, and shall avoid moving or disturbing the turtles, and the permittee shall document to DES in writing that they have done so.
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With Findings:

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With Findings:

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2. This amendment request does not constitute a significant amendment to an existing permit as described in RSA 482-A, XIV(e).
3. All the Conservation Commissions of the towns included in this permit were notified in writing of the request to amend the permit, and none reported comments to DES.

**2009-02841 PSNH, DAVID PLANTE**  
**LEE Unnamed Wetland**

Requested Action:

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With Findings:

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2. This amendment request does not constitute a significant amendment to an existing permit as described in RSA 482-A, XIV(e).
3. All the Conservation Commissions of the towns included in this permit were notified in writing of the request to amend the permit, and none reported comments to DES.

**2009-02842 PSNH, DAVID PLANTE**  
**MADBURY Unnamed Wetland**

Requested Action:

Amend permit to add a total of 13,860 sq. ft. of additional temporary wetlands impact to access power line upgrade areas with timber mats where upland access has proven to be too dangerous or area found to be otherwise inaccessible.

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APPROVE AMENDMENT:

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#### With Findings:

1. Additional temporary wetlands impacts are necessary to access power line upgrade areas with timber mats where upland access has proven to be too dangerous or area found to be otherwise inaccessible.
2. This amendment request does not constitute a significant amendment to an existing permit as described in RSA 482-A, XIV(e).
3. All the Conservation Commissions of the towns included in this permit were notified in writing of the request to amend the permit, and none reported comments to DES.

#### **2009-02843 PSNH, DAVID PLANTE NOTTINGHAM Unnamed Wetland**

#### Requested Action:

Amend permit to add a total of 13,860 sq. ft. of additional temporary wetlands impact to access power line upgrade areas with timber mats where upland access has proven to be too dangerous or area found to be otherwise inaccessible.

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#### APPROVE PERMIT:

Impact an amended total of 84,976 sq. ft. of wetlands (870 sq. ft. permanent impact for utility pole installation, and 84,106 sq. ft. (amended) of temporary impact for access mats and landings) for upgrade of a 13- mile segment of the Deerfield to Madbury transmission line, known as the L-175 Line Rebuild, including the following: Deerfield: 10 sq. ft. of permanent impact, and 477 sq. ft. of temporary access impact; Nottingham: 300 sq. ft. of permanent impact and 41,610 sq. ft. (amended) of temporary access impact; Barrington: 16,374 sq. ft. (amended) of temporary access impact, and 100 sq. ft. of permanent impact; Lee: 110 sq. ft. of permanent impact and 9,894 sq. ft. (amended) of temporary impact; Durham: 4,177 sq. ft. (amended) of temporary impact only; Madbury: 350 sq. ft. of permanent impact and 11,574 sq. ft. (amended) of temporary impact.

#### With Conditions:

1. All work shall be in accordance with plans by Northeast Utilities dated 10/30/2009, as received by DES on 11/20/2009, as amended per revised plans dated 5/14/2010, as received by DES on 5/14/2010, and according to supporting materials by Normandeau Associates dated October 2009, as received by DES on 11/20/2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. Pellet surveys for the presence of the New England cottontail shall be conducted and submitted to DES during construction oversight during the winter months as requested by NH Fish and Game Department.
4. Work may occur in the vicinity of a known osprey nest site prior to April 1st; work after April 1 is dependent upon the presence of osprey in the nest. If osprey have returned to the nest, the permittee shall notify and coordinate with NH Fish and Game Department to that agency's satisfaction prior to conducting work, and the permittee shall document to DES in writing that they have done so.
5. The permittee shall notify and coordinate with NH Fish and Game Department to that agency's satisfaction of any nesting Blanding's or Wood Turtles in the construction are during the month of June, and shall avoid moving or disturbing the turtles, and the permittee shall document to DES in writing that they have done so.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Work shall be done during frozen conditions or low flow.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands.
14. Prior to the installation; swamp mats shall be inspected for and removed of all vegetative matter.
15. Equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils. Swamp mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.
16. Prior to installation, new wood-pole structures; and upon removal, old wood-pole structures and appurtenances shall be placed outside of the jurisdiction of the DES Wetlands Bureau, but may remain in the ROW as potential cover for snakes, per the request of NH Fish and Game Department.
17. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. Additional temporary wetlands impacts are necessary to access power line upgrade areas with timber mats where upland access has proven to be too dangerous or area found to be otherwise inaccessible.
2. This amendment request does not constitute a significant amendment to an existing permit as described in RSA 482-A, XIV(e).
3. All the Conservation Commissions of the towns included in this permit were notified in writing of the request to amend the permit, and none reported comments to DES.

**MINOR IMPACT PROJECT**

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**2010-00485                      MEREDITH, TOWN OF**  
**MEREDITH   Lake Waukewan**

Requested Action:

Repair an existing 35 linear feet of retaining wall adjacent to a public boat ramp, dredge 15 cubic yards of propeller disturbed material from 375 sq ft of lakebed, place not more than 20 cubic yards of clean washed stone in 600 sq ft of lakebed to prevent further propeller disturbance of lake on Lake Waukewan, Meredith.

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Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Repair an existing 35 linear feet of retaining wall adjacent to a public boat ramp, dredge 15 cubic yards of propeller disturbed material from 375 sq ft of lakebed, place not more than 20 cubic yards of clean washed stone in 600 sq ft of lakebed to prevent further propeller disturbance of lake on Lake Waukewan, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Fluet Engineering Associates revision dated February 23, 2010, as received by DES on May 26, 2010.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Work shall be done during drawdown.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal on no more than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The proposed repairs will prevent future possible dredge from public waters of lake sediments disturbed by propeller wash.

**2010-00684                      WALMART**  
**CLAREMONT   Granby Brook**

Requested Action:

Dredge and fill ± 200 sq. ft. of Grandy Brook to riprap stabilize the bank to repair a failed stormwater outfall structure.

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APPROVE PERMIT:

Dredge and fill ± 200 sq. ft. of Grandy Brook to riprap stabilize the bank to repair a failed stormwater outfall structure.

With Conditions:

1. All work shall be in accordance with plans by Apex Companies, LLC dated 03/08/2010, as received by the Department on 03/19/2010.
2. Work shall be done during low flow conditions.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
20. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), Projects that alter the course or disturb less than 200 linear feet of a perennial nontidal stream or its banks.
2. No comments of concern were submitted from the Natural Heritage Bureau (NHB), the NHFG Nongame and Endangered Wildlife Program or the Conservation Commission.
3. The applicant has provided a waiver request per Env-Wt 204.03, to waive the NH Certified Wetlands Scientist stamp on plans as required by Env-Wt 310.01(g).
4. The jurisdictional boundary is the Grandy Brook bank and channel, which are depicted clearly in photographs of the proposed repair area. The jurisdictional boundaries of the resource are obvious.
5. The applicant has stated that it would be an unnecessary financial burden and negative impact on time to have a NH Certified Wetland Scientist prepare plans.
6. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.09(a).
7. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
8. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-00782                      STEPHENS REVOC TRUST, MARIE**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Repair 60 linear feet of retaining wall "in kind" on an average of 197 ft of frontage on Lake Winnepesaukee, Meredith.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair 60 linear feet of retaining wall "in kind" on an average of 197 ft of frontage on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated May 12, 2010, as received by DES on May 20, 2010.
2. Repair shall maintain existing size, location and configuration.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction for any work in the water, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair of existing retaining walls.

**2010-00802                      EKSTROM, KENNETH**  
**LACONIA   Lake Winnisquam**

Requested Action:

Add 6 ft x 10 ft seasonal extension to two docks to create, two 6 ft x 40 ft seasonal docks attached by a 4 ft x 23 ft wharf over the shore in a "U" shaped configuration on Lake Winnisquam, Laconia.

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Conservation Commission/Staff Comments:

Con Com submitted comments stating docks would be too long.

APPROVE PERMIT:

Add 6 ft x 10 ft seasonal extension to two docks to create, two 6 ft x 40 ft seasonal docks attached by a 4 ft x 23 ft wharf over the shore in a "U" shaped configuration on Lake Winnisquam, Laconia.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated March 15, 2010, as received by DES on March 31, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a dock which exceeds the minimum

impact rules for minimum impact docks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The maximum length seasonal dock allowed on Lake Winnisquam is 40 ft lakeward pursuant to Env-Wt 402.02.
5. The proposed docking structure shall extend no more than 40 feet lakeward and meets all DES rules for seasonal docks on this waterbody, thus addressing the local Conservation Commission concerns.
6. The applicant has an average of 350 feet of shoreline frontage along Lake Winnisquam.
7. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
8. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

## MINIMUM IMPACT PROJECT

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**2007-01243                      LINEBERRY, KELLY**  
**WEBSTER   Unnamed Wetland Blackwater River**

### Requested Action:

Retain  $\pm$  680 sq. ft. of palustrine forested wetlands impact and install a 12-in. x 20-ft. culvert within existing fill for driveway access to a single family lot for noncommercial recreational use.

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### APPROVE PERMIT:

Retain  $\pm$  680 sq. ft. of palustrine forested wetlands impact and install a 12-in. x 20-ft. culvert within existing fill for driveway access to a single family lot for noncommercial recreational use.

### With Conditions:

1. All work shall be in accordance with plans received by the DES Wetlands Bureau on June 14, 2010.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. A post-construction report including photographs documenting the status of the completed construction, including clear photographs of the culvert inlet and outlet and a stable crossing shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

### With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

**2010-00645                      MOSER, BRAIN**  
**WINCHESTER   Unnamed Wetland**

Requested Action:

Dredge and fill  $\pm 1,531$  sq. ft. of intermittent stream to install a 36-in. x 20-ft. culvert for driveway access to a single lot of a 3-lot subdivision on  $\pm 10.91$  acres.

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APPROVE PERMIT:

Dredge and fill  $\pm 1,531$  sq. ft. of intermittent stream to install a 36-in. x 20-ft. culvert for driveway access to a single lot of a 3-lot subdivision on  $\pm 10.91$  acres.

With Conditions:

1. All work shall be in accordance with plans by Monadnock Septic Design, LLC dated January 22, 2010, as received by the Department on March 16, 2010, and subdivision plans by Richard P. Drew, LLC dated November 30, 2009, as received by the Department on June 15, 2010.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n) Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-00758                      US ARMY CORPS OF ENGINEERS**  
**PETERBOROUGH   Edward Macdowell Dam**

Requested Action:

Dredge and fill  $\pm 20$  linear feet of intermittent stream to realign the stream channel at the drainage swale confluence at Edward McDowell Lake Dam. Work also includes cleaning and regrading  $\pm 300$  linear feet of existing drainage swale.

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APPROVE PERMIT:

Dredge and fill  $\pm 20$  linear feet of intermittent stream to realign the stream channel at the drainage swale confluence at Edward

McDowell Lake Dam. Work also includes cleaning and regrading  $\pm$  300 linear feet of existing drainage swale.

With Conditions:

1. All work shall be in accordance with plans by U.S. Army Corps of Engineers, New England District dated March 2010, as received by the Department on March 24, 2010.
2. Work shall be done during low flow conditions and in the dry.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
18. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks.
2. During a heavy rain in August 2009, surface runoff eroded soil on the right bank of the dam embankment and approximately 300 feet downstream of the dam. Repairs are proposed to repair the damage and perform maintenance and stabilization to avoid erosion in the future.
3. No comments of concern were submitted from the Natural Heritage Bureau (NHB), the NHFG Nongame and Endangered Wildlife Program or the Conservation Commission.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.



**2010-00915                      TROSKY, ROBERT & CAROLYN**  
**GREENFIELD   Unnamed Wetland**

Requested Action:

Retain  $\pm$  385 sq. ft. of palustrine forested wetlands after-the-fact impact, including a 15-in. x 40-ft. culvert for shared driveway access to two (2) lots of a 2-lot subdivision on  $\pm$  16.31 acres.

\*\*\*\*\*

APPROVE PERMIT:

Retain  $\pm$  385 sq. ft. of palustrine forested wetlands after-the-fact impact, including a 15-in. x 40-ft. culvert for shared driveway access to two (2) lots of a 2-lot subdivision on  $\pm$  16.31 acres.

With Conditions:

1. All work shall be in accordance with plans by Site Succor Design, LLC dated April 07, 2010, and subdivision plans by David M. O'Hara & Associates dated December 10, 2009, as received by the DES Wetlands Bureau on April 14, 2010.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. A post-construction report including photographs documenting the status of the completed construction, including clear photographs of the culvert inlet and outlet and a stable crossing shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**FORESTRY NOTIFICATION**

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**2010-01534                      CORSON, ROBERT**  
**OSSIPEE   Unnamed Stream**

COMPLETE NOTIFICATION:

Ossipee Tax MAP 264, Lot# 18

**2010-01543                      GILFORD, TOWN OF**  
**GILFORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Gilford Tax Map 249, Lot# 1

**2010-01544                      DELAND, FRANK**  
**LYNDEBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Lyndeboro Tax Map 12, Lot# 30

**2010-01545                      FREEDOM, TOWN OF**  
**FREEDOM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Freedom Tax Map/Lot# 6/2, 11/1 & 3

**2010-01553                      HALL, GARDNER**  
**PLYMOUTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Plymouth Tax Map 224, Lot# 5

**2010-01561                      NOYES, SIDNEY**  
**CANTERBURY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Canterbury Tax Map 237, Lot# 4

**2010-01562                      DUGAN, KLEE**  
**DEERFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Deering Tax Map 229, Lot# 58

**2010-01563                      VAUGHAN FARMS II LLC**  
**CHESTER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Chester Tax Map 1, Lot# 69

**2010-01564                      N SMITH, ROGER**  
**NEWFIELDS   Unnamed Stream**

COMPLETE NOTIFICATION:

Newfields Tax Map 214, Lot# 1

**2010-01566 LORD, STEVEN**  
**SUTTON Unnamed Stream**

COMPLETE NOTIFICATION:

South Sutton Tax Map 2, lot# 190,373 & 238,254

**2010-01590 GOFFSTOWN VILLAGE WATER PRECINCT**  
**GOFFSTOWN Unnamed Stream**

COMPLETE NOTIFICATION:

Goffstown Tax Map 1, Lot# 38

**2010-01591 DONOGHUE, GARY**  
**DANBURY Unnamed Stream**

COMPLETE NOTIFICATION:

Danbury Tax Map 410, Lot# 70

**2010-01601 YANKEE FORESTS LLC**  
**MILAN Unnamed Stream**

COMPLETE NOTIFICATION:

Milan Tax Map 42, Lot# 02 Parcel J

**2010-01603 YANKEE FORESTS LLC**  
**CAMBRIDGE Unnamed Stream**

COMPLETE NOTIFICATION:

Cambridge Tax Map 1618, Lot# 3

**2010-01611 BAYROOT LLC**  
**DIXVILLE Unnamed Stream**

COMPLETE NOTIFICATION:

Dixville Tax Map 1626, Lot# 1 & 9

**2010-01612 FOSTER, JUDITH**  
**LITTLETON Unnamed Stream**

COMPLETE NOTIFICATION:

Littleton Tax Map 39, Lot# 11

**2010-01613                      STEARNS, SHARON**  
**SALISBURY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Salisbury Tax Map 204, Lot# 1

**EXPEDITED MINIMUM**

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**2007-01765                      GILL, DUNCAN**  
**MONT VERNON   Unnamed Stream Pond**

Requested Action:  
Dredge and fill 2,250 sq. ft. of a man-made impoundment to reestablish the flow channel of the preexisting stream bed and revegetate the newly formed embankments and surroundings.

\*\*\*\*\*

APPROVE PERMIT:  
Dredge and fill 2,250 sq. ft. of a man-made impoundment to reestablish the flow channel of the preexisting stream bed and revegetate the newly formed embankments and surroundings.

With Conditions:

1. All work shall be in accordance with plans by Applicant dated 8/31/07, as received by DES on September 05, 2007.
2. There shall be no further alteration of wetlands for lot development, culverts, or for any other construction activities.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.
5. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2009-01926                      GILMANTON, TOWN OF**  
**GILMANTON   Unnamed Stream**

Requested Action:  
Proposal to dredge and fill approximately 660 sq. ft. of intermittent stream and associated wetlands for the replacement of an existing stone culvert with a new 24 in. x 40 ft. plastic N12 culvert with associated grading and headwalls.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill approximately 560 sq. ft. of intermittent stream and associated wetlands for the replacement of an existing stone culvert with a new 42 in. x 30 ft. corrugated metal culvert with associated grading, headwalls and outlet protection matting.

With Conditions:

1. All work shall be in accordance with plans and narratives submitted by Sunset Hill Design, narrative revised plan date of June 1, 2010, drainage report print date of April 20, 2010, as received by DES on June 1, 2010.
2. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow or no flow.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The repair is not "in-kind", however, it is a similar size opening, interior corrugated culvert, sized to pass a 50 year storm event and replaces a failing culvert.
3. The Town has granted permission to the applicant to replace the existing culvert within the Town road and to conduct repairs to the road to access their proposed home site. The project would have qualified for Administrative Rule Env-Wt (j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k), however, there is work outside of the ROW that is on the applicant's property.
4. The downstream channel is eroded and the proposed impacts beyond 50 linear ft. will be temporary impacts for the installation of turf matting to stabilize the existing banks and provide culvert outlet protection.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
8. The applicant has reduced impacts by increasing the culvert diameter from 24 in. to 42 in., shortened from 40 linear ft. to 30 linear ft. and reduced outlet protection impacts from rip rap to turf matting.
9. The applicant had a professional engineer review the project and design a replacement crossing that will pass a 50 year storm event, which is a typical request from DES (prior to the recently adopted administrative rules for stream crossing) for upgrading existing crossings and/or when culvert sizing concerns have been raised.
10. A DES professional engineer has confirmed the sizing calculations are accurate based on the information provided by the applicant's agent.
11. The identified watershed size of 70 acres is consistent with intermittent stream flows.

12. DES has received a complaint/objection from the abutter to the impact area.
13. DES inspected the site on March 29, 2010. It appeared that work had been done to the road and road surface but no direct impacts to the stream or wetlands at the crossing were observed. The existing culvert appears to be an irregular shaped stone culvert approximately two to three feet in size (opening) that is partially blocked. The stream was flowing at the time of the inspection and it was difficult to obtain an accurate measurement of the existing culvert.
14. The new culvert should restore the ability of the crossing to pass larger storm flows, which should reduce the existing impounding of flows that is occurring at the culvert inlet. The restored flow would be to the applicant's property not the abutter's/complainant's.
15. The permit is conditioned on proper erosion controls, stormwater BMPs, and soil stabilization.
16. The applicant has requested a waiver to Administrative Rule Env-Wt 304.04(a) "The department shall limit the location of a project to at least 20 feet from an abutting property line or imaginary extension thereof over surface water unless it receives written agreement from the affected abutter concurring with any impact that may result relative to the abutter's interests".
17. The proposed impacts within the 20-foot setback are within the Town right-of-way and the Town has given permission for the proposed work.
18. The applicant has attempted to get permission from the abutting property owner tax map/lot 409/42. They have declined.
19. The applicant attempted and obtained permission from the abutting property owner tax map/lot 409/45.
20. The impact area within the 20-foot setback consists of a failing culvert. The proposal is to replace the culvert, which should restore passage for higher stream flows.
21. Relocating the impacts to meet the 20-foot setback would increase the overall impacts to the wetland/stream resource and would require additional permanent stream impacts.
22. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.04.
23. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

**2010-00142                      HOLLIS, TOWN OF**  
**HOLLIS   Unnamed Stream**

**Requested Action:**

Impact a total of 360 square feet within the bed and banks of an unnamed perennial stream which includes 110 square feet of temporary impact and 250 square feet of permanent impact to replace the existing, failing concrete/metal culvert with a 48-inch Wheelite pipe beneath Van Dyke Road for improved flow and safe vehicular and pedestrian passage.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

The Hollis Conservation Commission signed the Minimum Impact Expedited Application.

**APPROVE PERMIT:**

Impact a total of 360 square feet within the bed and banks of an unnamed perennial stream which includes 110 square feet of temporary impact and 250 square feet of permanent impact to replace the existing, failing concrete/metal culvert with a 48-inch Wheelite pipe beneath Van Dyke Road for improved flow and safe vehicular and pedestrian passage.

**With Conditions:**

1. All work shall be in accordance with plans by R.L. Ouellette Associates, LLC dated December 23, 2009, as received by DES on January 28, 2010.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.

6. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Prior to commencing work on the culvert located within the stream, a cofferdam shall be constructed to isolate the substructure work area from the stream.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
13. No fill shall be done for lot development.
14. No fill shall take place in Atlantic white cedar swamps.
15. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-01085 LOMASNEY, MARY**  
**FREEDOM Lake Ossipee**

Requested Action:

Install a 4 ft x 24 ft seasonal dock centered on the frontage on Ossipee Lake, Freedom.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Install a 4 ft x 24 ft seasonal dock centered on the frontage on Ossipee Lake, Freedom.

With Conditions:

1. All work shall be in accordance with plans as received by DES on June 23, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.

5. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.

**2010-01229                      CLIPPINGER, JOHN**  
**JEFFERSON    Unnamed Pond**

Requested Action:

Proposal to maintenance dredge approximately 2,500 sq. ft. of sediment and vegetation from an approximately 8,500 sq. ft. man-made pond.

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Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene on the proposed project.

APPROVE PERMIT:

Maintenance dredge approximately 2,500 sq. ft. of sediment and vegetation from an approximately 8,500 sq. ft. man-made pond.

With Conditions:

1. All work shall be in accordance with plans and narratives submitted by the applicant, as received by DES on May 17, 2010.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Work shall be done during low flow.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
9. All refueling of equipment shall occur outside of surface waters or wetlands.
10. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-01326                      WEISS, JAY & ROBIN**  
**WOLFEBORO    Lake Winnepesaukee**



Requested Action:

Repair an existing 8 ft 3 in x 59 ft 2 in permanent dock supported by a 8 ft x 8 ft crib and two piles at the lakeward end, replace 3 ties off piles and the seasonal 12 ft x 28 ft canopy on Lake Winnepesaukee, Wolfeboro.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 8 ft 3 in x 59 ft 2 in permanent dock supported by a 8 ft x 8 ft crib and two piles at the lakeward end, replace 3 ties off piles and the seasonal 12 ft x 28 ft canopy on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group, as received by DES on May 25, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**GOLD DREDGE**

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**2010-01602                      MARIER, DAWN**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:

cc: Bath Con Comm

**2010-01604                      MARIER, DAVID**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con Comm

**2010-01629                      MCCONNELL, JAMES**  
**(ALL TOWNS)**

Conservation Commission/Staff Comments:  
CC: Bath Con Com

## TRAILS NOTIFICATION

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**2010-00804                      MAGNI, ERIC**  
**WINCHESTER   Unnamed Wetland**

COMPLETE NOTIFICATION:  
Winchester Tax Map 1, Lot# 39

## LAKES-SEASONAL DOCK NOTIF

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**2010-01600                      ERLNBACH, RICHARD**  
**STRAFFORD   Bow   Lake**

COMPLETE NOTIFICATION:  
Strafford tax map 31 lot 31, Bow Lake

**2010-01624                      ANDREWS, SHARON**  
**ERROL   Umbagog Lake**

COMPLETE NOTIFICATION:  
Erroll tax map R1 lot 5, Umbagog Lake

**2010-01625                      MACENTEE, ROBERT**  
**DEERING   Deering Reservoir**

COMPLETE NOTIFICATION:  
Deering tax map 229 lot 28, Deering Reservoir

**X-SHORELAND VARIANCE / WA**

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**2007-00624 CUCCHI, JOHN**  
**MUNSONVILLE Granite Lake**

**Requested Action:**

Amend existing shoreland impact permit to construct a deck, relocate plantings and install stormwater control measures.

\*\*\*\*\*

Inspection Date: 05/10/2007 by Thomas Gilbert

**APPROVE AMENDMENT:**

Replace an existing primary structure located within the primary building setback (the "Setback"), with a proposed primary structure on property with approximately 240 ft of frontage on Granite Lake in Munsonville.

**With Conditions:**

1. All work shall be conducted in accordance with revised plans created by John J. Cucchi and received by the Department of Environmental Services ("DES") on June 10, 2010.
2. This Waiver shall not be effective unless and until it has been recorded at the Merrimack County Registry of Deeds and a copy of the recorded document is sent to DES by certified mail, return receipt requested.
3. This Waiver shall run with the land and be binding upon the Owner and all subsequent owners of the Subject Property.
4. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
5. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
6. All proposed vegetation shall be planted by August 1, 2010. Plantings shall have a 90% survival success rate by October 31, 2010. An initial monitoring report shall be submitted to DES by June 1, 2011 documenting the success of the plantings. In the event that construction is delayed, the Applicant shall submit a written request to DES to plant the proposed vegetation at a later date.
7. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
8. The Applicant shall install the proposed septic system within 2 months of completion of the proposed primary structure.
9. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. A copy of the recorded Waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
12. This Waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
13. The owner shall maintain compliance with all other applicable requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

**With Findings:**

1. The existing non-conforming structure is located within the 50 ft primary building setback to Granite Lake and therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to plant additional, native vegetation within the waterfront buffer.
4. The applicant has proposed to install stormwater controls consisting of infiltration trenches under the drip edges of the primary structure.
5. The applicant has proposed to install stormwater controls consisting of infiltration trenches within the existing driveway.
6. The applicant has proposed to install significant stormwater controls and enhance the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**ROADWAY MAINTENANCE NOTIF**

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**2010-01594                      NH DEPT OF TRANSPORTATION, DISTRICT 5**  
**CHESTER   Unnamed Wetland**

**2010-01595                      AMHERST, TOWN OF**  
**AMHERST   Unnamed Wetland**

**2010-01596                      AMHERST, TOWN OF**  
**AMHERST   Unnamed Wetland**

**2010-01597                      GILMANTON, TOWN OF**  
**GILMANTON   Unnamed Wetland**

**2010-01598                      NH DEPT OF TRANSPORTATION**  
**BETHLEHEM   Unnamed Stream**

**2010-01599                      SANDOWN, TOWN OF**  
**SANDOWN   Unnamed Stream Unnamed Wetland**

**2010-01619                      NH DEPT OF TRANSPORTATION, DISTRICT 5**  
**CONCORD   Unnamed Wetland Roadside Ditch**

**2010-01620                      NH DEPT OF TRANSPORTATION**  
**LYME   Unnamed Stream**

**PERMIT BY NOTIFICATION**

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**2010-00979                      FISSETTE, DANIEL & ALISON**  
**WESTMORELAND   Unnamed Wetland**

**Requested Action:**

Dredge and fill  $\pm$  480 sq. ft. of intermittent stream to install a 48-in. x 20-ft. CMP culvert for driveway access to a single family building lot.

\*\*\*\*\*

**PBN IS COMPLETE:**

Dredge and fill  $\pm$  480 sq. ft. of intermittent stream to install a 48-in. x 20-ft. CMP culvert for driveway access to a single family building lot.

**With Findings:**

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(8), the installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot for noncommercial, recreational, uses that meets the criteria in Env-Wt 303.04(z).
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

**2010-01273                      SHERWOOD/MCKITTRICK, ALAN/JANIS**  
**GILFORD   Lake Winnepesaukee**

**Requested Action:**

Repair of existing docking structures with no change in size, location or configuration.

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**Conservation Commission/Staff Comments:**

Con Com signed PBN form

**PBN IS COMPLETE:**

Repair of existing docking structures with no change in size, location or configuration.

**With Findings:**

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2010-01355                      DEXTER 1993 TRUST, MARY**  
**GILFORD   Lake Winnepesaukee**

**Requested Action:**

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:  
Con Com did not sign PBN form

PBN IS COMPLETE:  
Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2010-01448                      1991 LEONARDSON FAMILY TRUST**  
**GILFORD   Lake Winnepesaukee**

Requested Action:  
Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:  
Con Com did not sign PBN form

PBN IS COMPLETE:  
Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2010-01483                      CICCARONE, GERALD**  
**BROOKFIELD   Unnamed Stream**

Requested Action:  
Dredge and fill 500 sq. ft. of wetlands to replace a failing 12" culvert with a new 15" x 30' culvert in an existing woods road.

\*\*\*\*\*

Conservation Commission/Staff Comments:  
Brookfield Conservation Commission signed PBN.

PBN IS COMPLETE:  
Dredge and fill 500 sq. ft. of wetlands to replace a failing 12" culvert with a new 15" x 30' culvert in an existing woods road.

**2010-01550                      FRANCIOSA, DEANNE**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:  
Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2010-01589                      US ARMY CORPS OF ENGINEERS**  
**HILL   Needleshop Brook**

Requested Action:

PBN proposal for repair of rip-rap protection along the existing bridge abutments and associated wing walls (leaving a natural stream channel).

\*\*\*\*\*

PBN IS COMPLETE:

PBN complete for repair of rip-rap protection along the existing bridge abutments and associated wing walls (leaving a natural stream channel).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. DES received the completed notification form 52-days after it was signed by the Town Clerk.
3. The ACOE informed DES that NHB confirmed that they do not have any issues with the project.

**2010-01634                      PARALLAX REALTY TRUST**  
**MEREDITH   Winnisquam Lake**

Requested Action:

Install a seasonal dock.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Install a seasonal dock.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.

**CSPA PERMIT**

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**2008-02641                      LEMAY, ROGER & MAUREEN**  
**CONWAY   Saco River**

Requested Action:

Approve name change to: Roger and Maureen Lemay, 25 Monroe Street, Manchester, NH 03104. Previous owner: Stefanie, Emily & Lia Cravedi.

\*\*\*\*\*

APPROVE NAME CHANGE:

Impact 4,278 sq ft for the purpose of constructing a single family dwelling with garage, deck and driveway.

With Conditions:

1. All work shall be in accordance with plans by Mia Gannon revised January 30, 2009 and received by the Department of Environmental Services ("DES") on January 30, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands and areas to remain unaltered.
3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No more than 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. The project as proposed will leave approximately 2565 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2565 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2009-00977                      STANISEWSKI, DENISE**  
**WARNER   Warner River**

Requested Action:

Impact 10,750 sq ft for the purpose of constructing a single family dwelling, detached garage, gravel driveway and installing a state approved septic system.

AMENDMENT DESCRIPTION: Revised plan submitted May 18, 2010 to move garage, lengthened driveway, add steps and retaining wall. New post-construction impervious area, 17.8%.

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APPROVE AMENDMENT:

Impact 10,750 sq ft for the purpose of constructing a single family dwelling, detached garage, gravel driveway and installing a state approved septic system.

AMENDMENT DESCRIPTION: Revised plan submitted May 18, 2010 to move garage, lengthened driveway, add steps and retaining wall. New post-construction impervious area, 17.8%.



With Conditions:

1. All work shall be in accordance with plans by Moser Engineering dated April 30, 2009 and received by the Department of Environmental Services ("DES") on May 21, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No more than 14.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 1,373 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 858 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2010-00771                      MOTT, THOMAS**  
**NEW DURHAM   Merrymeeting Lake**

Requested Action:

Impact 2,300 sq ft for the purpose of constructing new decking structures.

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APPROVE PERMIT:

Impact 2,300 sq ft for the purpose of constructing new decking structures.

With Conditions:

1. All work shall be in accordance with plans by Paul F. Zuzgo dated September 9, 2009 and received by the Department of Environmental Services ("DES") on April 6, 2010.
2. No more than 12.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
4. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

**2010-00772                      STEPHENS, MARIE/RUSSELL**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Impact 605 sq ft for the purpose of rebuilding existing retaining walls and constructing two stone edging walls.

AMENDMENT DESCRIPTION: Install stone steps at base of existing dock and over bank located on westside of dock.

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APPROVE AMENDMENT:

Impact 605 sq ft for the purpose of rebuilding existing retaining walls and constructing two stone edging walls.

AMENDMENT DESCRIPTION: Install stone steps at base of existing dock and over bank located on westside of dock.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated March 8, 2010 and received by the Department of Environmental Services ("DES") on April 6, 2010.
2. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 7,995 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,632 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01280                      SCARKS, MICHAEL**  
**COLEBROOK   Connecticut River**

Requested Action:

Impact 12,352 sq.ft. for the construction of a new house, garage, lawn, gravel drive, and parking area.

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APPROVE PERMIT:

Impact 12,352 sq.ft. for the construction of a new house, garage, lawn, gravel drive, and parking area.

With Conditions:

1. All work shall be in accordance with plans prepared by M.S. (Michael Scarks) dated 5/1/2010 revised 6/13/2010 and 6/18/2010, and received by the Department of Environmental Services ("DES") on May 21, 2010, June 16, 2010 and June 18, 2010.
2. No more than 15.14% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.

3. The project as proposed will leave approximately 16,778 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 14,405 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01399                      NH FISH & GAME DEPARTMENT**  
**BRISTOL   Newfound Lake**

Requested Action:

Impact 3957 sq.ft. for the repairs to public boat access facility.

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APPROVE PERMIT:

Impact 3,957 sq.ft. for the repairs to public boat access facility.

With Conditions:

1. All work shall be in accordance with plans by Fay, Spfford & Thorndike, LLC dated May 2010 and received by the Department of Environmental Services ("DES") on June 3, 2010.
2. This permit is contingent on approval by the DES Wetlands Bureau.
3. No more than 46.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 13,834 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01421                      BELANGER, SUSAN**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Impact 11,467 sq.ft. for the removal of existing cottage and construction of new home with underground utilities.

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APPROVE PERMIT:

Impact 11,467 sq.ft. for the removal of existing cottage and construction of new home with underground utilities.

With Conditions:

1. All work shall be in accordance with plans by MSC Civil Engineers & Land Surveyors, Inc. dated March 24, 2010 and received by the Department of Environmental Services ("DES") on June 4, 2010.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 16.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,298 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01440                      WALDEN, KENNETH**  
**MADISON   Silver Lake**

Requested Action:

Impact 108 sq.ft. for a 6'x18' addition to existing deck.

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APPROVE PERMIT:

Impact 108 sq.ft. for a 6'x18' addition to existing deck.

With Conditions:

1. All work shall be in accordance with plans by Kenneth Walden dated June 2010 and received by the Department of Environmental Services ("DES") on June 7, 2010.
2. No more than 23.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,175 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01441                      DOMANICO, JOHN & KATHLEEN**  
**CLARKSVILLE   Clarksville Pond**

Requested Action:

Impact 3042 sq.ft. for the construction of a new house and driveway.

\*\*\*\*\*

APPROVE PERMIT:

Impact 3,042 sq.ft. for the construction of a new house and driveway.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering dated May 24, 2010 and received by the Department of Environmental Services ("DES") on Jun7, 2010.
2. No more than 6.67% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 386,418 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 193,209 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01443                      PIKE, ROBERTA**  
**LYME   Reservoir Pond**

Requested Action:

Impact 8,100 sq.ft. for the installation of water sewer lines for existing cabins within 250' of Reservoir Pond.

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APPROVE PERMIT:

Impact 8,100 sq.ft. for the installation of water sewer lines for existing cabins within 250' of Reservoir Pond.

With Conditions:

1. All work shall be in accordance with plans by Harry J. Burgess dated June 2010 and received by the Department of Environmental Services ("DES") on June 7, 2010.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 9.25% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 26,026 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an

unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01460                      FARRELLY, JOSEPH**  
**DEERFIELD   Pleasant Lake**

Requested Action:

Impact 750 sq ft for the purpose of installing new stormwater culverts.

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APPROVE PERMIT:

Impact 750 sq ft for the purpose of installing new stormwater culverts.

With Conditions:

1. All work shall be in accordance with plans submitted by Joseph R. Farrelly and received by the Department of Environmental Services ("DES") on June 8, 2010.
2. There shall be no impacts to native vegetation between the reference line and 150 feet from the reference line associated with this project.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Silt fencing must be removed once the area is stabilized.
11. Upon completion of the proposed project, the existing septic system will pose no threat to adjacent surface waters.

**2010-01463                      COLUMBUS, JOSEPH & DORI LANG**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Impact 4435 sq.ft. for the construction of new house and to convert existing structure to a bunkhouse.

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**APPROVE PERMIT:**

Impact 4,435 sq.ft. for the construction of new house and to convert existing structure to a bunkhouse.

**With Conditions:**

1. All work shall be in accordance with plans by Ames Associates dated June 3, 2010 and received by the Department of Environmental Services ("DES") on June 7, 2010.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 10.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 11,745 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 8,745 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01477                      PEW OWNERS ASSOCIATION**  
**STARK   Upper Ammonoosuc River**

**Requested Action:**

Impact 3275 sq.ft. for the paving and regrading along front of church and the installation of three catch basins.

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**APPROVE PERMIT:**

Impact 3,275 sq. ft. for the paving and regrading along front of church and the installation of three catch basins.

**With Conditions:**

1. All work shall be in accordance with plans by Horizons Engineering dated May 2010 and received by the Department of Environmental Services ("DES") on June 10, 2010.
2. No more than 27.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 835 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not

previously permitted or grandfathered.

**2010-01488                      RUDYAK, RADA**  
**MEREDITH   Winnisquam Lake**

Requested Action:

Impact 1,310 sq.ft. for the replacement of a timber wall with a block wall.

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APPROVE PERMIT:

Impact 1,310 sq.ft. for the replacement of a timber wall with a block wall.

With Conditions:

1. All work shall be in accordance with plans by Shane Johnson dated June 2010 and received by the Department of Environmental Services ("DES") on June 10, 2010.
2. No more than 10% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least N/A sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01489                      MULCAHY, EDMUND & DAVID**  
**RYE   Sagamore Creek**

Requested Action:

Impact 5,600 sq.ft. for the construction of a single family residence, driveway and utilities.

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APPROVE PERMIT:

Impact 5,600 sq.ft. for the construction of a single family residence, driveway and utilities.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering dated May 26, 2010 and received by the Department of Environmental Services ("DES") on June 11, 2010.
2. This permit is contingent upon the approval of DES Alteration of Terrain and Wetlands Program.
3. No more than 2.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 42,768 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 24,475 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.



6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01574                      KOCH, HELMUT & LAURIE**  
**GILMANTON   Sawyer Lake**

Requested Action:

Impact 245 sq.ft. for the construction of a wooden ramp and deck.

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APPROVE PERMIT:

Impact 245 sq.ft. for the construction of a wooden ramp and deck.

With Conditions:

1. All work shall be in accordance with plans by Reardon Builders dated June 10, 2010 and received by the Department of Environmental Services ("DES") on June 17, 2010.
2. No more than 18.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,560 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,528 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**CSPA PERMIT W/WAIVER**

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**2009-00892                      GRAHAM, JOHN**  
**ENFIELD   Spectacle Pond**

**2010-00384                      LAVATORI, RICHARD**  
**HARRISVILLE   Skatutakee Lake**

Requested Action:

Impact 144 sq ft for the purpose of expanding an existing deck.

AMENDMENT DESCRIPTION: Replace a 7ft x 7ft deck located on west side of primary structure with a 12ft x 14ft deck and steps to a lower 8ft x 18ft deck, which will be located along the primary structure away from reference line.

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APPROVE AMENDMENT:

Impact 144 sq ft for the purpose of expanding an existing deck.

AMENDMENT DESCRIPTION: Replace a 7ft x 7ft deck located on west side of primary structure with a 12ft x 14ft deck and steps to a lower 8ft x 18ft deck, which will be located along the primary structure away from reference line.

With Conditions:

1. All work shall be in accordance with plans submitted by Richard Lavatori and received by the Department of Environmental Services ("DES") on April 28, 2010.
2. No more than impervious area beyond that permitted for the addition of an 18 x 8 sq ft deck and stairway are permitted unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation within the waterfront or natural woodland buffers associated with this project.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

**2010-00820                      WALLACE, PAUL/DEBRA**  
**NOTTINGHAM   North River Pond**

Requested Action:

Impact 4,273 sq ft for the purpose of expanding a nonconforming primary structure.

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APPROVE PERMIT:

Impact 4,273 sq ft for the purpose of expanding a nonconforming primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with revised plans by Berry Surveying and Engineering dated June 7, 2010 and received by the Department of Environmental Services ("DES") on June 22, 2010. 2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 19.51% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. The project as proposed will leave approximately 3,631 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to North River Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to remove approximately 745 sq ft of impervious surface within the waterfront buffer of the protected shoreland.
4. The applicant has proposed to install stormwater controls consisting of drywells capable of effectively infiltrating all stormwater from the proposed impervious areas.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system with a greater setback.
6. The applicant has proposed to install stormwater controls, install a new septic system, and reduce the total amount of impervious surface coverage within the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2010-01315                      PAINE, JAMES & KATHLEEN**  
**STRAFFORD   Bow Lake**

Requested Action:

Impact 745 sq ft for the purpose of expanding a nonconforming primary structure.

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APPROVE PERMIT:

Impact 745 sq ft for the purpose of expanding a nonconforming primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by David J. Allain dated May, 2010 and received by the Department of Environmental Services ("DES") on May 25, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 18.78% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Upon completion of the proposed project, the submitted planting plan shall be implemented to ensure that all plantings achieve a 100% success rate.
5. No impacts shall occur to native vegetation within the waterfront and natural woodland buffers associated with this project.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Bow Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to plant additional, native vegetation within the waterfront buffer.
4. The applicant has proposed to enhance the waterfront buffer with additional, native vegetation, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.